

1 STEVEN W. PITE (CA SBN 157537)  
DAVID E. McALLISTER (CA SBN 185831)  
2 ADAM B. ARNOLD (CA SBN 183837 )  
PITE DUNCAN, LLP  
3 525 E. Main Street  
P.O. Box 12289  
4 El Cajon, CA 92022-2289  
Telephone: (619) 590-1300  
5 Facsimile: (619) 590-1385

6 Attorneys for HOME123 CORPORATION, its successors and/or assigns

7  
8 UNITED STATES BANKRUPTCY COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 In re

11 ANITA BEALL CARR,

12 Debtor(s).

Case No.07-42118-LJT

Chapter 7

R.S. No. ABA-483

13 DECLARATION IN SUPPORT OF  
14 MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
(11 U.S.C. § 362 and Bankruptcy Rule 4001)

15 DATE: September 28, 2007

16 TIME: 11:00 a.m.

17 CTRM: 201

18 1300 Clay Street, Suite 300  
Oakland, CA 94604-1426

19 I, Sophia Salinas, declare:  
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21 1. I am employed as a Supervisor by Chase Home Finance, LLC, servicing agent for  
22 Home123 Corporation, its successors and/or assigns ("Movant"). In this capacity, I am one of the  
23 custodians of the books, records, files and banking records of Movant, as those books, records, files  
24 and banking records pertain to the loans and extensions of credit by Movant to Anita Beall Carr  
25 ("Debtor"). I have personally worked on said books, records, files and banking records and, as to  
26 the following facts, I know them to be true of my own knowledge or I have gained knowledge of  
27 them from the Movant's business records, which were made at or about the time of the events which  
28 were recorded, and which are maintained in the ordinary course of Movant's business.

2. On or about January 25, 2006, Debtor, for valuable consideration, made, executed

1 and delivered to Movant a Note in the principal sum of \$782,000.00 (the "Note"). Pursuant to the  
2 Note, Debtor is obligated to make monthly principal and interest payments commencing March 1,  
3 2006, and continuing until February 1, 2036, when all outstanding amounts are due and payable.  
4 The Note provides that, in the event of default, the holder of the Note has the option of declaring all  
5 unpaid sums immediately due and payable.

6 3. On or about January 25, 2006, the Debtor made, executed and delivered to Movant  
7 a Deed of Trust (the "Deed of Trust") granting Movant a security interest in real property commonly  
8 described as 11801 Bloomington Way, Dublin, California 94568 (the "Real Property"), which is  
9 more fully described in the Deed of Trust. The Deed of Trust provides that attorneys' fees and costs  
10 incurred as a result of the Debtor's bankruptcy case may be included in the outstanding balance under  
11 the Note. The Deed of Trust was recorded on January 31, 2006, in the Official Records of Alameda  
12 County, State of California. A true and correct copy of the Deed of Trust is attached to the  
13 Declaration in Support of Motion for Relief From Automatic Stay as exhibit A and incorporated  
14 herein by reference.

15 4. The obligation under the Note is in default as of January 1, 2007, for failure to make  
16 payments to Movant. As of July 12, 2007, the total obligation due and owing under the Note is in  
17 the approximate amount of \$825,652.48, representing the principal balance of \$780,441.36, interest  
18 in the sum of \$44,796.21, and late charges in the amount of \$414.91. This is an approximate amount  
19 for purposes of this Motion only, and should not be relied upon as such to pay off the subject loan  
20 as interest and additional advances may come due subsequent to the filing of the Motion. An exact  
21 payoff amount can be obtained by contacting Movant's counsel. Further, Movant has incurred  
22 additional post-petition attorneys' fees and costs in bringing the instant Motion. Moreover, the total  
23 arrears under the Note are in the approximate sum of \$43,704.92, excluding the post-petition  
24 attorneys' fees and costs incurred in filing the instant Motion. A true and correct copy of the  
25 contractual payment accounting pursuant to Local Rule 4001-1(g)(1) is attached to the Declaration  
26 in Support of Motion for Relief From Automatic Stay as exhibit C and incorporated herein by  
27 reference.

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1 5. As a result of the default under the Note, a Notice of Default was recorded on April  
2 12, 2007. I am informed and believe that, based on the Debtor's bankruptcy Schedules and  
3 Statements, the fair market value of the Property is approximately \$850,000.00. True and correct  
4 copies of the Debtor's bankruptcy Schedules "A" and "D" are collectively attached to the Declaration  
5 in Support of Motion for Relief From Automatic Stay as exhibit B and incorporated herein by  
6 reference.

7 6. Based on the above, Movant maintains that the equity in the Property is as follows:

Fair Market Value:	\$850,000.00
Less:	
Movant's Trust Deed	825,652.48
Alameda County's Tax Lien	4,500.00
Costs of Sale (8%)	68,000.00
Equity in the Property:	\$<48,152.48>

12 I declare under penalty of perjury under the laws of the United States of America that the  
13 foregoing is true and correct. Executed this 2 day of August, at San  
14 Diego, California.

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18 SOPHIA SALINAS  
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